

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ELIZABETH WRIGHT,

Plaintiff,

Case No. 21-cv-10871

Hon. Matthew F. Leitman

v.

LOUIS DEJOY,

Postmaster General of the United States,

Defendant.

**ORDER DENYING WITHOUT PREJUDICE PLAINTIFF'S
MOTION TO APPOINT COUNSEL (ECF No. 2)**

In this *pro se* action, Plaintiff Elizabeth Wright alleges that Defendant Louis DeJoy wrongly denied her application for disability retirement. (*See* Compl., ECF No. 1.) Wright has now requested that the Court appoint her counsel. (*See* Mot., ECF No. 2.)

Pursuant to 28 U.S.C. § 1915, “[t]he court *may* request an attorney to represent any person unable to afford counsel.” 28 U.S.C. § 1915(e)(1) (emphasis added). “Appointment of counsel in a civil case is not a constitutional right. It is a privilege that is justified only by exceptional circumstances.” *Lavado v. Keohane*, 992 F.2d 601, 605-06 (6th Cir. 1993) (internal quotations and citations omitted). *See also Lanier v. Bryant*, 332 F.3d 999, 1006 (6th Cir. 2003) (affirming order denying prisoner’s motion to appoint counsel in civil action). Relevant considerations

include the type of case, the plaintiff's ability to represent herself, the complexity of the factual and legal issues involved, and the claim's relative merits. *See Lavado*, 992 F.2d at 605-06.

Here, Wright has not established that "exceptional circumstances" warrant the appointment of counsel. Nor has she shown that she is unable to represent herself in this action. Thus, the Court is not persuaded that the appointment of counsel is necessary or appropriate at this time.

For all of the reasons stated above, Wright's motion to appoint counsel (ECF No. 2) is **DENIED WITHOUT PREJUDICE**. Wright may renew her motion, if appropriate, at a later stage of this litigation.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: May 6, 2021

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on May 6, 2021, by electronic means and/or ordinary mail.

s/Holly A. Monda
Case Manager
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